

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:20 CR 402
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
DANIEL J. McMAHON,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge David A. Ruiz, regarding the change of plea hearing of Daniel J. McMahon, which was referred to the Magistrate Judge with the consent of the parties.

On July 29, 2020, the government filed a 1 count Information, charging Defendant Daniel J. McMahon, with Bank Fraud, in violation of Title 18 U.S.C. § 1344. Defendant was arraigned on August 31, 2020 before Magistrate Judge David A. Ruiz, and entered a plea of guilty to count 1 of the Information. Magistrate Judge Ruiz issued a Report and Recommendation (“R&R”), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge’s R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge’s R&R is adopted. Defendant McMahon is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Daniel J. McMahon is adjudged guilty to count 1 of the Information, in violation of Title 18 U. S. C. § 1344. This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on December 18, 2020, at 2:00 p.m. in Courtroom 17A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.

UNITED STATES DISTRICT JUDGE

September 25, 2020